

REMARKS/ARGUMENTS

Claims 1-7 are pending herein. Claims 1 and 3-5 have been amended hereby to correct matters of form and for clarification purposes, and new claims 6 and 7 have been added hereby. Applicants respectfully submit that support for the new and rewritten claims can be found in paragraphs [0024], [0051 and [0070] of the original specification, for example, and that no new matter has been added.

1. Claim 2 has been withdrawn from further consideration in view of the provisional election, made with traverse on February 2, 2010, to prosecute the invention of Species 1 (Fig. 1, claims 1 and 3-5).
2. The PTO asserted that a certified copy of the priority application (JP 2004-108378) has not been filed. Applicants respectfully submit that a certified copy of the priority application was timely furnished during the PCT stage (see the PCT/IB/304 form that was filed in the PTO on September 28, 2006). Accordingly, Applicants respectfully submit that PCT practice does not require Applicants to again file the certified copy in this National Phase case.
3. The PTO indicated that the “substitute specification” filed on November 2, 2007 was not entered for failure to include a statement that no new matter had been added. Applicants respectfully submit, however, that no substitute specification has been filed in connection with this application, aside from the one substitute specification paragraph submitted herewith. The submission filed November 2, 2007 was the verified English language translation of the original Japanese-language application. As such, the English translation is not subject to the provisions of 37 CFR §1.125(b) and (c). Accordingly, Applicants respectfully submit that the above

objection is improper, and respectfully request that the above objection should be reconsidered and withdrawn.

4. The objection to the Abstract is noted, but deemed moot in view of the rewritten Abstract submitted above. Accordingly, Applicants respectfully request that the above objection be reconsidered and withdrawn.

5. The objection to claims 1 and 3-5 is noted, but deemed moot in view of rewritten claims submitted above. Accordingly, Applicants respectfully request that the above objection be reconsidered and withdrawn.

6. Claims 1 and 4 were rejected under §102(b) over Fukuda (WO '550); claim 3 was rejected under §103(a) over Fukuda in view of Matsufuji; and claim 5 was rejected under §103(a) over Fukuda in view of Ono. To the extent that the PTO might attempt to assert these rejections against the new and rewritten claims submitted above, they are respectfully traversed.

Independent claim 1 recites an antireflection film comprising a transparent base material film and, provided on the transparent base material film in the following order, an antistatic hardcoat layer comprising an antistatic agent and an ionizing radiation curing resin, and having a μm -order thickness, and a low-refractive index layer having a lower refractive index than an underlying layer in direct contact with the low-refractive index layer. An absolute value of a difference between the refractive index of the transparent base material film and the antistatic hardcoat layer is not more than 0.03, whereby an occurrence of interference fringes is prevented. Claims 3-5 and new claims 6 and 7 each depend directly or indirectly from independent claim 1.

Applicants respectfully submit that Fukuda discloses a structure that includes a transparent plastic substrate, a primer layer and a functional layer (e.g., hard coat and/or pressure-sensitive adhesive layer), in that order. The primer layer in Fukuda is the layer formed on the substrate, and as such, can be considered to at least locationally correspond to the claimed antistatic hardcoat layer.

According to Fukuda, the thickness of the primer layer must be carefully controlled to have a nanometer-order thickness in order to optimize the optical properties such as refractive index and reflectance (see, e.g., Fukuda, page 22). In order to meet the specific physical and numerical requirements disclosed in connection with the thickness of Fukuda's primer layer, Applicants respectfully submit that one skilled in the art would readily understand that the thickness of the primer layer must be strictly controlled, preferably not to exceed 200 nm (see, e.g., Fukuda, page 33 and Table 2).

On the other hand, in the present invention, the claimed antistatic hardcoat layer is considerably thicker, having a μm -order thickness. Applicants respectfully submit that one skilled in the art would not have had any logical reason to expect that primer layers having μm -order thicknesses, instead of the otherwise required nanometer-order thicknesses, could be successfully used in conjunction with Fukuda.

Applicants respectfully submit that Fukuda simply fails to disclose or suggest this feature of independent claim 1 for at least the reasons explained above. Moreover, Applicants respectfully submit that Matsufuji, and Ono do not overcome the deficiencies of Fukuda in this respect.

Since the prior art of record fail to disclose or suggest each and every feature recited in independent claim 1, Applicants respectfully submit that claim 1, and all claims depending directly or indirectly therefrom, define patentable subject matter

over the applied references, and respectfully request that the above rejections be reconsidered and withdrawn.

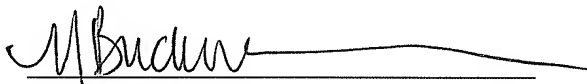
Applicants respectfully request that the Examiner confirm receipt and consideration of the Information Disclosure Statement filed August 16, 2010.

If the Examiner believes that contact with Applicants' attorney would be advantageous toward the disposition of this case, the Examiner is herein requested to call Applicants' attorney at the phone number noted below.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-1446.

Respectfully submitted,

September 22, 2010
Date


Stephen P. Burr
Reg. No. 32,970

Nicole J. Buckner
Reg. No. 51,508

SPB/NB/tlp

BURR & BROWN
P.O. Box 7068
Syracuse, NY 13261-7068

Customer No.: 025191
Telephone: (315) 233-8300
Facsimile: (315) 233-8320